

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING "REFERENCE" APPLICATION**Docket Number (Optional)
ARC 3307 US R1
(3139-6269US)

Instant Application of: Chen et al.

Application No. 10/701,939

Filed: November 4, 2003

For: CONTROLLED RELEASE DEPOT FORMULATIONS

The owner*, Alza Corporation, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application Number 10/295,527, filed on November 14, 2002, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

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2. ☒ The undersigned is an attorney of record. Reg. No. 39,931

July 23, 2007



Signature
Edgar R. Cataxinos

Typed or printed name
801-532-1922

Telephone Number

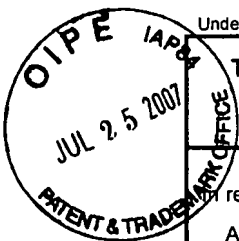
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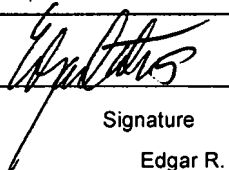
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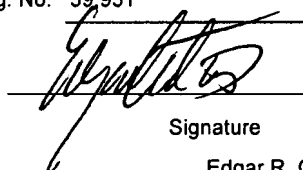
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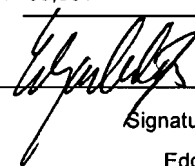
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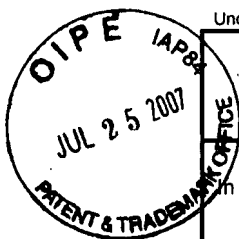
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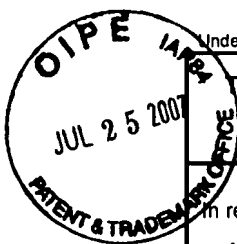
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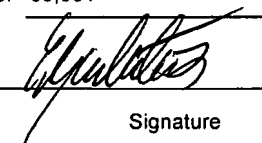
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Date

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included. Please debit TraskBritt Deposit Account No. 20-1469 for the remainder of the fee.

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*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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